

ROBERT J. KAPLAN

*Attorney for MUUS Independence Fund LP and Michael W. Sonnenfeldt,
Defendants in Adv. Pro. No. 10-04445*

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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (BRL)

Plaintiff-Applicant,

SIPA LIQUIDATION
(Substantively Consolidated)

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

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In re:

BERNARD L. MADOFF,

Case No. 09-11893 (BRL)

Debtor.

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NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that, in view of the fact that the Trustee is using filings made by him in Adv. Pro. No. 08-01789/Case No. 09-11893 to impact upon other proceedings, including Adversary Proceeding No. 10-04445 to which MUUS INDEPENDENCE FUND LP and MICHAEL W. SONNENFELDT are parties, Robert J. Kaplan, whose address and contact information are set forth above, appears for MUUS INDEPENDENCE FUND LP and MICHAEL W. SONNENFELDT in Adv. Pro. No. 08-01789/Case No. 09-11893 and requests

that copies of all notices, papers, filings and proceedings in Adv. Pro. No. 08-01789/Case No. 09-11893 be served on him. Request is also made that Robert J. Kaplan, as attorney for MUUS INDEPENDENCE FUND LP and MICHAEL W. SONNENFELDT, be added to the Trustee's proposed "Master Service List" for Adv. Pro. No. 08-01789/Case No. 09-11893. The above-referenced e-mail address (LAWKAP@AOL.COM) may be used for service. Please note that service by e-mail is subject to the provisions of F.R. Civ. P. 5(b)(2)(E) [incorporated by Bankruptcy Rules 7005 and 9014] and the provisions of Bankruptcy Rule 9006(f). Robert J. Kaplan does not consent to service by way of facsimile transmission.

PLEASE TAKE FURTHER NOTICE that neither the filing of this Notice of Appearance nor the above requests constitute an acknowledgement that notices, papers, filings or proceedings which concern or affect Adversary Proceeding No. 10-04445 are properly done by way of filing in Adv. Pro. No. 08-01789/Case No. 09-11893 (as opposed to Adversary Proceeding No. 10-04445), nor does this Notice of Appearance or those requests constitute consent to notices, papers, filings or proceedings which concern or affect Adversary Proceeding No. 10-04445 being done by way of filing in Adv. Pro. No. 08-01789/Case No. 09-11893 (as opposed to Adversary Proceeding No. 10-04445).

Dated: New York, New York
November 16, 2011

s/ Robert J. Kaplan

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